



**STATUS**

**Claims Objections**

**37 CFR 1.75 (C)**

Claim 24, (new, was 3) is rewritten to place it in proper dependent form by now limiting the subject matter of a previous claim.

Claim 26, (was 5) is cancelled.

Claim 27, (currently amended, was 6) is rewritten in dependent form and is now also within the scope of Claim 22, (was 1).

Claim 28, (was 7) is cancelled.

Those claims using the improper grammar of DNA/RNA have been rewritten as DNA and RNA.

**CLAIMS REJECTION**

**35 U.S.C 101**

Claims 22, (new, was 1) 23, (was 2) 24, (new was 3) 27, (was 6) currently amended 29, (was 8) currently amended, have been rewritten as operative and as having utility. This and the reasons given by the OA for rejection of 1-21 are further addressed under "Remarks", section A.

The rejected claims 1-7, 9, and 12-21 have either been rewritten as new and/or currently amended or cancelled as indicated in the previous paragraph, are now addressed

under section A, “**Remarks**”. These revisions have become definite and do now point out and distinctly claim the subject matter of the invention as further discussed in “**Remarks**” section B.

### **DOUBLE PATENTING**

The claims have been revised to eliminate “double” patenting.

### **CONCLUSION**

The revision of claims above and the discussion under “**Remarks**”, section indicate that the Applicant respectfully disagrees with the conclusion of the Examiner. Please further see under “**Remarks**”, section C.

### **SPECIFICATION AMENDMENTS**

Claims 9, 13, and 18 (now 30, 34, and 39) have been cancelled.

### **CLAIMS AMENDMENTS**

Claims 1.- 6 (cancelled).

Claim 22. (new) A method of introducing septicemia in cancerous patients by the quantitative intravenous infusion of live or live but attenuated bacteria followed by selected

antibiotics to cause bacterial cell rupture with the release of DNA and RNA which provides atoms and short molecular fragments for use by the patient's repair enzymes to repair the physically broken, damaged, or distorted DNA of a cancerous cell which such repair effects a cure.

Claim 23. (new) The method as claimed in Claim 22, whereby the components of the bacterial cell other than DNA and RNA, may contribute to the cure of cancer by means not now known.

Claim 24. (new) The method as claimed in Claim 22, whereby more than one type (genus, species) of bacteria may be combined and infused at the same time or separately through intravenous infusion and that they may act synergistically to effect a cure.

Claim 25. (cancelled)

Claim 26. (cancelled)

Claim 27. (currently amended) The method as claimed in Claim 22, whether rupture of the bacterial cell with release of the cell content is accomplished by antibiotics, the immune system, or any other mechanism of rupture of a cell.

Claim 28. (cancelled)

Claim 29. (currently amended) A method for the treatment of cancerous cells in

a patient comprising the steps of :

- a. Introducing a sufficient quantity of live or live but attenuated bacteria into the patients bloodstream to cause the fever associated with septicemia in the patient.
- b. Allowing the septicemia to proceed for at least 24 hours.
- c. Treating the septicemia with a medicinally effective quantity of an antibiotic appropriate for the selected bacteria so as to control the septicemia wherein the bacterial cells rupture and release their intracellular contents including the bacteria's DNA and RNA into the patient's bloodstream and whereby the patient's repair enzymes use the bacteria's atoms and short molecular strands of DNA and RNA to repair broken and damaged DNA and RNA in the cancerous cells.

Claim 30. (cancelled)

Claim 31. (cancelled)

Claim 32. (cancelled)

Claim 33. (cancelled)

Claim 34. (cancelled)

Claim 35. (cancelled)

Claim 36. (cancelled)

Claim 37. (cancelled)

Claim 38. (cancelled)

Claim 39. (cancelled)

Claim 40. (cancelled)

Claim 41. (cancelled)

Claim 42. (cancelled)

Claim 43. (cancelled)

New matter has not been added to any of the amendments to the claims.